

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.10304 of 1997

Date:28-02-2007

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**Between:**

Uddaraju Venugopala Krishnam Raju

Petitioner

And

Revenue Divisional officer, Eluru, West Godavari District  
and another

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

**W.P.No.10304 of 1997**

**ORDER:**

1. This writ petition has been instituted calling in question the validity of a notice issued to second respondent-Mandal Revenue Officer proposing to evict the writ petitioner from land of extent of Ac.0.07 cents situate in Survey No.220/3.

2. The learned Government Pleader for Revenue apart from filing the counter affidavit has produced the relevant records. In the village accounts, land in Survey No.220/3 has been classified as Government Poramboke land. Therefore, the writ petitioner has no right or manner to continue to occupy the same in view of the classification of the land in the village records produced by the learned Government Pleader. It is not in dispute that land of an extent of Ac.0.47 cents has been classified as Government Poramboke land and the same is forming part of Gramakantam and thus the writ petitioner has got no manner of right to continue to occupy part of the same. But however, the writ petitioner has filed his explanation in response to the notice issued under Section 7 of the Land Encroachment Act, 1905 (in short 'the Act'). It is open to the writ petitioner to supplement his submissions by way of a further representation submitted by him within a period of three weeks from today and the same will also be considered by the Mandal Revenue Officer and appropriate orders can be passed thereon under Section 7 of the Act.

3. With this, the writ petition stands disposed of. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

28-02-2007

Note: C.C. in one week

B/o.

Stp